

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 20, 2005

Signature: _____

(Raymond Garguilo, Jr.)

Docket No.: SPINE 3.0-437 CIPCIPCIPCIP CON XV
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Errico et al.

Application No.: 10/642,527

Filed: August 15, 2003

Art Unit: 3738

Examiner: Not Yet Assigned

For: AXIALLY COMPRESSIBLE ARTIFICIAL
INTERVERTEBRAL DISC HAVING A
CAPTURED BALL AND SOCKET JOINT
WITH A SOLID BALL AND COMPRESSION
LOCKING POST

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: January 20, 2005

Respectfully submitted,

By _____
Raymond Garguilo, Jr.

Registration No.: 50,930
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant